

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOHAMED AWEYS MUSE,

Defendant.

No. CR 23-00029-JHC-1

ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL DATE

THE COURT having considered the motion to continue trial filed by Defendant Mohamed Muse in this matter, as well as the record and files herein, hereby makes the following findings:

1. Taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv).

2. A failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

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TO CONTINUE TRIAL DATE

1 3. The additional time requested is a reasonable period of delay, as the
2 Defendant has requested more time for his counsel to prepare for trial, to investigate the
3 matter, to gather evidence material to his defenses, and to consider possible defenses.

4 4. The ends of justice will best be served by a continuance, and the ends of
5 justice outweigh the best interests of the public and the Defendant in any speedier trial, as
6 set forth in 18 U.S.C. § 3161(h)(7)(A); 18 U.S.C. § 3161(h)(7)(B)(i), (iv).

7 5. The additional time requested between the current trial date of May 8,
8 2023 and the new trial date is necessary to provide counsel for the Defendant the
9 reasonable time necessary to prepare for trial.

10 6. The period of delay from the date this motion is filed to the new trial date
11 as set by this Court, is excludable time pursuant to 18 U.S.C. § 3161(h)(7)(A) and U.S.C.
12 § 3161 (h)(7)(B)(i), (iv).

13 IT IS THEREFORE ORDERED that the defendant's motion is GRANTED. The
14 trial date in this matter is continued to October 10, 2023. All pretrial motions shall be
15 filed no later than August 28, 2023.

16 IT IS FURTHER ORDERED that the time period between the date of the filing of
17 the unopposed motion and the new trial date is a reasonable delay and is excludable time
18 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(6).

19
20 SIGNED this 14th day of April, 2023.

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23 HONORABLE JOHN H. CHUN
24 United States District Judge